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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/581,353	05/31/2006	Uwe Hauf	2006-084	3626
27569	7590	02/06/2009	EXAMINER	
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			ART UNIT	PAPER NUMBER
			1792	
			NOTIFICATION DATE	DELIVERY MODE
			02/06/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/581,353

Applicant(s)

HAUF ET AL.

Examiner

Sylvia R. MacArthur

Art Unit

1792

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 May 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 10/21/2008 have been fully considered but they are not persuasive. Despite applicant's amendments of claims 1 and 2 and the introduction of claims 23 and 24, the examiner will maintain the use of the prior art. It is noted that applicant argues the use of module systems, however the claims recite that the module systems comprise insertion elements and the examiner holds the position that if insertion elements are present in the prior art module systems are also present. Also, it is noted that Henington et al provides carrier elements with recesses See Fig. 2 and feature 15 and conveying members (shafts 4 and 5 or 22 and 23) are fitted into the recesses. Element 24 of Henington are interpreted as insertion elements.
2. It is noted that Henington does not provide more than one conveying member or at least two conveying members located as newly recited. However, applicant has not established the criticality of the need for a plurality of conveying members. The examiner interprets this is a matter of duplication of parts. According to *In re Japikse*, 181 F. 2d 1019, 86 USPQ 70 (CCPA 1950) *In re Kuhle*, 526 F. 2d 553, 188 USPQ 7 (CCPA 1975), the mere duplication of parts has no patentable significance unless a new and unexpected result is produced.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Henington et al (EP 0959153).

5. Regarding claims 1,4, 7, 23, and 24: Henington et al teaches an electroplating machine (electrolytic treatment) of lat workpieces (PCBs), comprising conveying members (rollers 20A, B) on conveying path, see Fig. 1. Carrier elements are illustrated in Fig.7C comprise recess 116, insertion elements 24 are illustrated in Figs. 7A,B. Fig. 7c illustrates how the recess and carrier elements fit. Note that the intended use of the apparatus is not given structural patentable weight as an apparatus is what it is and not what it does. It is noted that Henington does not provide more than one conveying member or at least two conveying members located as newly recited. However, applicant has not established the criticality of the need for a plurality of conveying members. The examiner interprets this is a matter of duplication of parts. According to In re Japikse, 181 F. 2d 1019, 86 USPQ 70 (CCPA 1950) In re Kuhle, 526 F. 2d 553, 188 USPQ 7 (CCPA 1975), the mere duplication of parts has no patentable significance unless a new and unexpected result is produced. The motivation to provide a plurality of conveying members is to increase the throughput. Thus, it would have been obvious for one of ordinary skill in the art to duplicate the conveying members of Henington et al in order to increase the throughput.

Regarding claim 2: See Fig. 7C

Regarding claims 3 and 6: See Fig. 1.

Regarding claim 5: The teachings of Henington et al were discussed above.

Henington et al fails to teach the axles of the conveying rollers are offset. This arrangement is an alternative to the claimed arrangement of [0039] and [0040]. The motivation to offset the axles is to extend the range of motion of the conveying rollers. Thus, it would have been obvious for one

of ordinary skill in the art at the time of the claimed invention to offset the axles of the conveying rollers.

Regarding claim 8: See [022], the fluid delivery device includes nozzle 52 known as flow, jet and/or fan nozzles.

Regarding claim 9: See [022].

Regarding claim 10: [0029].

Regarding claims 11-19: Henington et al fails to teach the particular arrangements of the components as recited. Note that the arrangements are well within the parameters of design of one of ordinary skill in the art and barring a showing of criticality by applicant are deemed obvious and are alternative arrangements of the apparatus of Henington et al.

Regarding claims 20-22: See Figures.

4. Alternatively, claims 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Henington et al (EP 0959153) in view of Pender (US 4,607,590).

The teachings of Henington et al were discussed above. Pender fails to teach the axles of the conveying rollers are offset. See Figure 1 of Pender. The motivation to modify the apparatus of Henington et al is that the offset axles so that no substrate will be damaged by other substrates or their peripheral edges do not touch, see col. 4 lines 24-65. Thus, it would have been obvious for one of ordinary skill in the art at the time of the claimed invention to modify the apparatus of Henington et al to offset the axles of the rollers.

5. Claims 11-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Henington et al (EP 0959153) in view of Haas et al (DE 4035932).

Hennington et al fails to teach the particular arrangements of the components as recited. See the Figures of Haas et al that teach or suggest the claimed arrangements. Note that the arrangements are well within the parameters of design of one of ordinary skill in the art and barring a showing of criticality by applicant are deemed obvious and are alternative arrangements of the apparatus of Hennington et al.

6. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sylvia R. MacArthur whose telephone number is 571-272-1438. The examiner can normally be reached on M-Th during the hours of 8 a.m. and 4:30 p.m.. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Parviz Hassanzadeh can be reached on 571-272-1435. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

January 31, 2009

/Sylvia R MacArthur/
Primary Examiner, Art Unit 1792